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Express Mail No.: EL 501 637 543 US

mp/s

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Makowski *et al.*

Application No.: 10/080,608

Group Art Unit: 1653

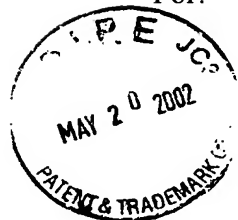
Filed: February 21, 2002

Examiner: to be assigned

For: STAGED ASSEMBLY OF
NANOSTRUCTURES

Attorney Docket No.: 8471-010

Confirmation No.: 8580



**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION FILED UNDER 37 C.F.R. § 1.53(b)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to a Notice to File Missing Parts of Nonprovisional Application, mailed March 18, 2002, in connection with the above-identified application, Applicants submit herewith:

- (1) a return copy of the Notice;
- (2) a Declaration (in three counterparts) executed by the inventors Lee Makowski, Paul L. Hyman and Mark K. Williams on May 3, 2002, April 24, 2002 and May 1, 2002, respectively;
- (3) a Preliminary Amendment Under 37 C.F.R. § 1.115;
- (4) a Transmittal of Sequence Listing; and
- (5) a Sequence Listing in Paper and Computer Readable Form pursuant to 37 C.F.R. §§ 1.821(c) and (e).

Applicants are concurrently filing herewith the following documents:

- (6) a Submission of Formal Drawings with fifty-one (51) sheets of formal drawings, consisting of FIGS. 1A-B, FIGS. 2-6, FIGS. 7A-B, FIGS. 8-10, FIGS. 11A-D, FIGS. 12-13, FIGS. 14A-B, FIGS. 15-18, FIGS. 19A-B, FIGS. 20-21, FIGS. 22A-B, and FIGS. 23AA-BF;
- (7) a Transmittal of Power of Attorney;

- (8) a Power of Attorney by Assignee executed by Edward S. Wittman on May 15, 2002, with a copy of the Assignment being concurrently submitted to the Recordation Branch of the United States Patent and Trademark Office.

Pursuant to 37 C.F.R. §1.16(e), the surcharge required for filing of the enclosed Declaration is believed to be \$65.00 (small entity). Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150, along with any deficiencies in fees due. A copy of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Dated: May 20, 2002

Adriane M. Antler 32,605
Adriane M. Antler (Reg. No.)

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090

Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/080,608 ✓	02/21/2002	Lee Makowski	8471-010 ✓

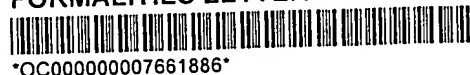
20583
PENNIE AND EDMONDS
1155 AVENUE OF THE AMERICAS
NEW YORK, NY 100362711



8205

CONFIRMATION NO. 8580

FORMALITIES LETTER



OC000000007661886

Oath/Decl./Seq. Listing + Fee: 5/18/02

Date Mailed: 03/18/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

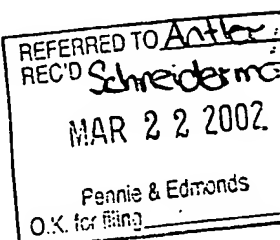
05/24/2002 HNOHAM1 00000119 161150 10080608

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For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at



patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.

Y. G.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

EXPRESS MAIL NO.: EL 501 637 543 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Makowski *et al.*

Application No.: 10/080,608

Filed: February 21, 2002

For: STAGED ASSEMBLY OF
NANOSTRUCTURES

Group Art Unit: 1653

Examiner: to be assigned

Attorney Docket No.: 8471-010

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SUBMISSION OF FORMAL DRAWINGSOfficial Draftsperson
c/o Assistant Commissioner for Patents
Washington, D.C. 20231

Sir / Madam:

Applicant submits herewith formal drawings to be substituted for the informal figures previously submitted in the above-identified application.

The formal drawings consist of fifty-one (51) sheets of drawings, consisting of FIGS. 1A-B, FIGS. 2-6, FIGS. 7A-B, FIGS. 8-10, FIGS. 11A-D, FIGS. 12-13, FIGS. 14A-B, FIGS. 15-18, FIGS. 19A-B, FIGS. 20-21, FIGS. 22A-B, and FIGS. 23AA-BF. Applicant respectfully requests entry of the enclosed drawings in the file of the above-identified application.

No fee is believed to be due for the submission of these drawings. Should any fees be required, however, please charge such fees to Pennie & Edmonds LLP deposit account no. 16-1150. A duplicate of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Dated: May 20, 2002

 32,605
Adriane M. Antler (Reg. No.)

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TRANSMITTAL OF SEQUENCE LISTING

Assistant Commissioner for Patents
Washington, D.C. 20231

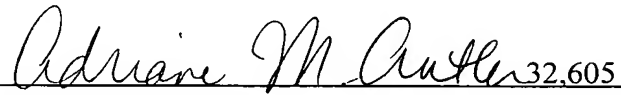
Sir:

In connection with the above-identified application, and in accordance with 37 C.F.R. § 1.821, Applicant submits herewith a Sequence Listing in paper and computer-readable format pursuant to 37 C.F.R. § 1.821(c) and (e).

I hereby state that the content of the paper and computer-readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same. I hereby state that the submission herein under 37 C.F.R. § 1.821(g) does not include new matter.

Respectfully submitted,

Dated: May 20, 2002


Adriane M. Antler 32,605
(Reg. No.)

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**TRANSMITTAL OF POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. § 3.71**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith is a Power of Attorney By Assignee and Exclusion of Inventor(s) Under 37 C.F.R. § 3.71 executed by Edward S. Wittman on May 15, 2002 on behalf of NanoFrames, LLC, the assignee of the above-identified patent application. Also enclosed is a copy of the Assignment being concurrently submitted to the Recordation Branch of the United States Patent and Trademark Office.

Applicants respectfully request that the enclosed Power of Attorney By Assignee and Exclusion of Inventor(s) Under 37 C.F.R. § 3.71 be made of record in the file of the application.

Respectfully submitted,

Dated: May 20, 2002

Adriane M. Antler 32,605
Adriane M. Antler (Reg. No.)

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New York, New York 10036-2711
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Enclosure